

COMMONWEALTH OF KENTUCKY  
BEFORE THE ENERGY REGULATORY COMMISSION

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In the Matter of:

THE REQUEST OF AUXIER ROAD GAS COMPANY, INC.)  
FOR AN EXEMPTION FROM 807 KAR 50:015 (BUDGET) CASE NO.  
BILLING PLAN) 7580

O R D E R

On September 10, 1979, the Commission notified Auxier Road Gas Company, Inc., that it must comply with Commission Regulation 807 KAR 50:015(11) by implementing a budget billing plan before the end of calendar year 1979. Thereafter, by letter dated September 13, 1979, the Company requested an exemption from the requirement of implementing a budget billing plan.

The Commission decided to treat this letter as an application to deviate from the provisions of 807 KAR 50:015(11); therefore, the matter was set for hearing on the 3rd day of October, 1979, in the Commission's office in Frankfort, Kentucky. The hearing was held as scheduled with one intervenor, the Attorney General's Division of Consumer Protection, being present. At said hearing, the Commission instructed the Applicant to conduct a survey of its customers to determine their interest in a budget billing plan and upon completion of the survey to provide the result to the Commission.

Thereafter, on October 22, 1979, the Attorney General's Division of Consumer Protection filed its Motion seeking permission to file a brief in this matter. The Commission, by Order dated November 2, 1979, sustained the Motion and ordered the brief to be submitted on or before November 15, 1979. Said brief and the result of the survey conducted by the Applicant were filed on November 15 and November 22, respectively, and were made a part of the record herein. The case was then submitted to the Commission for final determination.

The Commission, after consideration of the application and all evidence of record, is of the opinion and FINDS that:

(1) The Applicant serves approximately 499 customers who would be eligible for any budget plan instituted by Applicant.

(2) The result of the survey conducted by the Applicant indicated little interest in a budget billing plan.

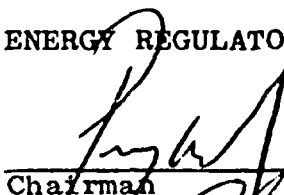
(3) The Applicant has made and is continuing efforts to offer individually fashioned partial payment plans to customers experiencing hardships.

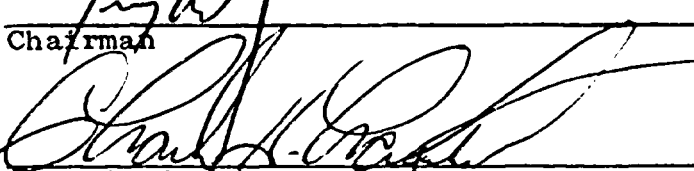
(4) The implementation of a budget billing plan would require the Applicant to incur additional expenses which would materially impair its operations.

IT IS THEREFORE ORDERED, that Auxier Road Gas Company, Inc., is hereby granted a one (1) year exemption, from the date of the hearing, or until October 3, 1980, to implement a budget billing plan.

Done at Frankfort, Kentucky, this the 1st day of April, 1980.

ENERGY REGULATORY COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

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Secretary